

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

JASON ADAM JENSEN,

Plaintiff,

v.

CITIBANK, N.A., *et al.*,

Defendants.

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Case No. 6:22-CV-03140-BCW

**DEFENDANT STONE COUNTY, MISSOURI'S MOTION FOR EXTENSION OF
TIME FOR DEFENDANT STONE COUNTY, MISSOURI TO RESPOND TO
PLAINTIFF'S MOTION FOR LEAVE TO FILE COUNTERCLAIM [DOC. 29],
PLAINTIFF'S OBJECTION TO APPEARANCE OF CHRISTOPHER
NAPALITANO [SIC] [DOC. 35], AND PLAINTIFF'S MOTION TO COMPEL
WITHDRAWAL OF APPEARANCE OF COUNCIL [SIC] [DOC. 37]**

COMES NOW Defendant Stone County, Missouri, by and through undersigned counsel, pursuant to Rule 6(b)(1)(A) of the Federal Rules of Civil Procedure, and hereby moves the Court for an Order extending the time for Defendant Stone County, Missouri ("Stone County") to respond to Plaintiff's Motion for Leave to File Counterclaim [Doc. 29], Plaintiff's Objection to Appearance of Christopher Napalitano [*sic*] [Doc. 35], and Plaintiff's Motion to Compel Withdrawal of Appearance of Council [*sic*] [Doc. 37]. In support of this Motion, Defendant Stone County states as follows:

1. On December 2, 2022, Plaintiff filed a Motion for Leave to File Counterclaim Complaint [Doc. 29].
2. On December 6, 2022, Plaintiff filed an Objections to Appearance of Christopher Napalitano [*sic*] for Stone/Missouri [Doc. 35].
3. On December 8, 2022, Plaintiff filed a Motion to Compel Withdrawal Appearance of Council [*sic*] [Doc. 37].

4. Because whether this Motion is timely is a factor the Court must determine in considering this Motion, to Plaintiff's Motion for Leave to File Counterclaim Complaint [Doc. 29] will be analyzed as it is the least recently filed motion at issue.

5. Under Local Rule 7.0(c), Defendant Stone County may file a response to Plaintiff's Motion for Leave to File Counterclaim Complaint [Doc. 29] within 14 days of its filing.

6. Federal Rule of Civil Procedure 6(b)(1)(A) authorizes the Court to extend the period of time within which Defendant Stone County may respond to Doc. 29 for good cause shown, provided a request for such is made prior to the expiration of the original time.

7. This Motion is timely under Rule 6(b)(1)(A) as it is made prior to the expiration of 14 days from the date of filing of Plaintiff's Motion for Leave to File Counterclaim Complaint [Doc. 29].

8. Because this Motion is timely with regard to Plaintiff's Motion for Leave to File Counterclaim Complaint [Doc. 29], this Motion is also timely as to Plaintiff's other motions at issue since they were filed more recently than Plaintiff's Motion for Leave to File Counterclaim Complaint [Doc. 29].

9. Defendant Stone County is represented by Christopher Napolitano of the law firm Enszt & Jester, P.C.

10. In his motions at issue, Plaintiff seeks to file a counterclaim against Stone County while attempting to prevent Mr. Napolitano and Enszt & Jester, P.C. from representing Stone County.

11. Mr. Napolitano and Enszt & Jester, P. C. generally have been extremely busy as this year nears its end and the holidays approach, and have not had adequate time to respond to Plaintiff's motions at issue herein.

12. Plaintiff would not be prejudiced by an extension of time up to and including January 11, 2023, and this Motion is not brought for any improper or vexatious purpose.

WHEREFORE, for good cause shown, Defendant Stone County, Missouri, with, by, and through its counsel Christopher Napolitano and the law firm Enszt & Jester, P. C., hereby respectfully pray this Court enter an Order extending the period of time within which Defendant Stone County, Mr. Napolitano, and Enszt & Jester, P.C. may respond to Plaintiff's Motion for Leave to File Counterclaim [Doc. 29], Plaintiff's Objection to Appearance of Christopher Napolitano [*sic*] [Doc. 35], and Plaintiff's Motion to Compel Withdrawal of Appearance of Council [*sic*] [Doc. 37] up to and including January 11, 2023, and for such other and further relief as this Court deems just and proper under the circumstances.

Respectfully submitted,

ENSZ & JESTER, P.C.

/s/ Matthew J. Gist

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**ATTORNEYS FOR DEFENDANT
STONE COUNTY, MISSOURI**

CERTIFICATE OF SERVICE

I hereby certify that, on December 16, 2022, the above and foregoing was electronically filed with the Clerk of the Court to be served by operation of the Court's electronic filing system upon all counsel of record. Additionally, a true and correct copy of the above and foregoing was sent via email transmission to the following:

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PLAINTIFF PRO SE

/s/ Matthew J. Gist

**ATTORNEYS FOR DEFENDANT
STONE COUNTY, MISSOURI**